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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA and JANET NAPOLITANO,
in her official capacity as President of the
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY and ELAINE DUKE, in her
official capacity as Acting Secretary of the
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF EVELYN VALDEZ-
WARD**

1 STATE OF CALIFORNIA, STATE OF
2 MAINE, STATE OF MARYLAND, and
STATE OF MINNESOTA,

3 Plaintiffs,

4 v.

5 U.S. DEPARTMENT OF HOMELAND
6 SECURITY, ELAINE DUKE, in her official
7 capacity as Acting Secretary of the Department
of Homeland Security, and the UNITED
STATES OF AMERICA,

8 Defendants.

CASE NO. 17-CV-05235-WHA

9 CITY OF SAN JOSE, a municipal corporation,

10 Plaintiffs,

11 v.

12 DONALD J. TRUMP, President of the United
13 States, in his official capacity, ELAINE C.
DUKE, in her official capacity, and the
UNITED STATES OF AMERICA,

14 Defendants.

CASE NO. 17-CV-05329-WHA

15 DULCE GARCIA, MIRIAM GONZALEZ
16 AVILA, SAUL JIMENEZ SUAREZ,
17 VIRIDIANA CHABOLLA MENDOZA,
18 NORMA RAMIREZ, and JIRAYUT
LATTHIVONGSKORN,

19 Plaintiffs,

20 v.

21 UNITED STATES OF AMERICA, DONALD
22 J. TRUMP, in his official capacity as President
of the United States, U.S. DEPARTMENT OF
23 HOMELAND SECURITY, and ELAINE
DUKE, in her official capacity as Acting
Secretary of Homeland Security,

24 Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and
SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, JEFFERSON
BEAUREGARD SESSIONS, in his official
capacity as Attorney General of the United
States; ELAINE DUKE, in her official
capacity as Acting Secretary of the Department
of Homeland Security; and U.S.
DEPARTMENT OF HOMELAND
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

1 I, EVELYN VALDEZ-WARD, DECLARE:

2 1. I am a Deferred Action for Childhood Arrivals (“DACA”) recipient. I am also a doctoral
3 student in the Ecology and Evolutionary Biology Program at the University of California, Irvine. The
4 matters set forth herein are true and correct of my own personal knowledge and, if called as a witness, I
5 could and would testify competently thereto.

6 **My Path to DACA Status and How DACA Status Benefited Me and My Family**

7 2. I was born in Mexico. I came to the United States with my mother at approximately six
8 months of age.

9 3. We came to the United States because existence was hard in the area in Mexico where
10 my parents were from, which had serious violence and poverty. My parents had a difficult time finding
11 jobs that paid enough to support our family. It was rare for students to continue beyond middle school.
12 Teen pregnancies were common among girls that were only 15 or 16 years old. My parents tell me that
13 they came to the United States to provide our family with a better future and a better life.

14 4. When we first moved to the United States, we lived in Houston, Texas. Our first place
15 was a small apartment in a rundown area of town called Sharpstown. We did not have any furniture. We
16 slept on the floor in the living room and used milk cartons as dishes. Eventually, my dad got a job as a
17 factory worker packing boxes. This enabled our family to move into a better apartment, and eventually a
18 house. My dad worked, and my mother stayed home to care for my siblings and me.

19 5. I went to a high school where I stood out, because it was not a diverse place. I had some
20 friends who were also minorities, and we were made fun of by the other students. It was in high school
21 that I started learning some people were “illegal” in the United States. I did not know that I was
22 “illegal.”

23 6. During high school, I always thought I would go to college, so I worked hard to achieve
24 that goal. I took AP classes, including AP Biology and AP Calculus, starting in my sophomore year. I
25 was a member of the National Honor Society from sophomore year onward. Outside of the classroom, I
26 spent time volunteering with my National Honor Society classmates at the Houston Humane Society, a
27 local food bank, and a homeless shelter.

1 7. I first found out I was undocumented in my senior year of high school, when I began
2 applying for colleges. The applications called for a social security number, so I asked my mom for mine.
3 My mom started crying. She explained that I did not have a social security number, and that I may not
4 be able to go to college because I was undocumented.

5 8. It was shocking to find this out about myself. I didn't know what to do with this
6 information. I understand why my mom kept it from me, as a way to protect me, but it was a difficult
7 thing to learn at that stage of my life. I became depressed upon realizing that I might not go to college.
8 This was a year before the DACA policy was established.

9 9. It seemed that all the hard work I had put into my high school classes was useless. My
10 grades began to drop, and I missed the first deadline to apply to colleges. Some teachers reached out to
11 me to ask what was wrong, but I was worried about telling them about my lack of legal status. I wasn't
12 sure what was happening with college, but I finally decided to confide in a teacher and ask for a letter of
13 recommendation. That teacher told me to just give up, that I had no future so there was no point in trying
14 for college. But another teacher helped me; he explained that I could apply to certain colleges, and apply
15 for Texas Application for State Financial Aid ("TASFA") to help with about \$1,000 per semester for
16 school.

17 10. My parents tried to help me, too. They went to a workshop at a community center where
18 they learned about colleges I could apply to. This included the University of Houston Downtown, where
19 I was later accepted into the Biology program.

20 11. In the summer of 2012, before my freshman year of college, I remember watching TV at
21 my grandmother's house. That was when my family first heard the announcement that the DACA policy
22 was being established. I hesitated to apply; it seemed like a big risk to provide my information.

23 12. There was a lot of fear surrounding applications for DACA in our community. Rumors
24 and videos were circulated saying that the DACA policy was a grand scheme by the government to
25 identify undocumented children and their parents. Many believed that DACA was a plan the government
26 would use to obtain addresses and fingerprints provided during the application process to track us down
27 and deport us. This risk terrified me.

1 13. Secret DACA application workshops were advertised through word of mouth and held at
2 nearby community colleges and churches. My mother went to some of these workshops. She did not
3 want me to attend them myself because of the risk of immigration enforcement catching or identifying
4 me there. We thought about talking to a lawyer about whether I should apply for DACA. But at the time,
5 lawyers were charging thousands of dollars in fees, plus the cost of the application. This was out of
6 reach for my family.

7 14. That fall, I began attending the University of Houston Downtown and still had not
8 applied for DACA status. I met an older undocumented student who had applied for DACA, and he
9 encouraged me to do the same. My parents also encouraged me to apply, so I could work and drive. I
10 was commuting 2-3 hours each way to school by bus, because I could not afford to live close to campus
11 and none of my family members could drive me. Finally, I saw news articles on Facebook about DACA
12 recipients being accepted into higher education, and I wanted to be one of those people.

13 15. I applied for DACA in November 2012. I received my initial DACA status and
14 employment authorization in December 2012.

15 16. DACA changed my life in so many positive ways. I got my driver's license, which meant
16 I could take our family van to school. I had more hours to focus on school and get sleep than when I was
17 commuting by bus. DACA also meant I could help my family, by working and by providing
18 transportation for my siblings, since I had the only driver's license in our family.

19 17. I would not have been able to finish college without my DACA work authorization. Just
20 after I received my DACA work authorization, I immediately got my first real job as a cashier at
21 Kroger's. I continued to work at up to three jobs simultaneously throughout my college degree, and also
22 tutored neighborhood elementary school children. I was a host at Houston's restaurant and a server at
23 Chili's and worked within the University of Houston as a Peer Led Team Learning Workshop leader,
24 helping other students with algebra, trigonometry, and pre-calculus in group study sessions. The money
25 from this work enabled me to pay for college.

26 18. After covering my educational expenses, I gave any extra money I earned to my parents,
27 to help pay bills and cover the cost of food and rent. My younger siblings eat a lot; I remember using the
28

1 money I made to buy milk for cereal for them. This would not have been possible without my DACA
2 employment authorization.

3 19. My DACA employment authorization remains an important source of support for my
4 family. My family was recently evacuated from their home in Texas because of Hurricane Harvey
5 flooding. My parents were sending me messages as the flooding moved up the driveway to our family
6 home. Their last text said the National Guard had arrived and they were being evacuated. After
7 Hurricane Harvey I was the main breadwinner in my family. Damage to our family home and highways
8 meant my parents could not work for almost a month. I have been sending all the money I can back
9 home to help them buy food and supplies to start rebuilding our family home.

10 20. I renewed my DACA status in December 2014. I renewed again in October 2017, having
11 applied after the rescission of the DACA policy was announced. This has meant saving up for months in
12 advance to afford the renewal fees. Then, I married an American citizen in March 2017. My husband
13 and I are trying to save money so that I can apply for legal permanent residency status, but so far the
14 cost is prohibitive for us. So, I applied to renew my DACA status after the announcement about the
15 rescission of the DACA policy in September 2017 and I was granted a renewal until October 2019.

16 21. Renewals of DACA have been straightforward for me in the past, aside from saving up
17 for the fee, and easier than the initial application to fill out. I expected to be able to renew my DACA
18 status in future so I could finish my graduate program. If I had known the DACA policy was going to
19 disappear so suddenly, I do not think I would have started my graduate program. I uprooted my life near
20 my family in Texas to move to California to start the program and my husband moved here as well. Now
21 we are not sure what will come next, or if I will be able to finish my doctoral degree.

22 **My Research at UC Irvine**

23 22. I graduated with my B.S. in Biology, Magna Cum Laude, in 2016 from the University of
24 Houston Downtown. I began my doctoral studies in the Ecology and Biology Program at the University
25 of California, Irvine in Fall 2016, and my program takes about 5-6 years to complete.

26 23. My research focuses on how climate change is impacting the ways in which plants and
27 soil microbes are interacting. Right now, I am leading research that connects two often-separate fields:
28 plant growth and soil microbe analysis. My research is the link between two separate labs in the

1 Department of Ecology & Evolutionary Biology in the School of Biological Sciences, the lab of
2 Professor Travis Huxman and Professor Sarah Kimball, who focus on plant/soil interactions, and that of
3 Professor Jennifer Martiny, who focuses on plant microbiome research. The connection between these
4 two areas of study is an emerging frontier of ecology research.

5 24. My research involves a multi-year project on the impact of drought on soil microbes and
6 plants. I conduct research throughout California, collecting plants and soil, focusing on a native plant
7 species, coastal sage scrub. Native habitat for species like this is being lost throughout California, and
8 impacts on native habitat are important to understand climate change. I conduct DNA tests on the plants
9 and soil microbes to study the impact of drought. This is a long-term project, as the soil at the study site
10 has been “droughted,” meaning kept under drought conditions despite varying weather patterns, for
11 many years. This work has broad implications for our understanding of the impact of climate change on
12 the interactions between plants and their associated soil-microbes, which is important for our
13 understanding of agricultural food production and native species proliferation in places like California. I
14 will be supervising six interns on this research starting this fall.

15 25. My main source of support for my graduate studies is a Ford Foundation Pre-Doctoral
16 Fellowship granted by the National Academies of Science, Engineering, & Medicine. I received the
17 Ford Fellowship in April 2017. I understand that I am one of only two students at UC Irvine to receive it
18 in 2017. The fellowship provides for my tuition and a small living stipend.

19 26. I am concerned that without DACA status I will lose my Ford Foundation grant. I
20 provided my DACA employment authorization to the Ford Fellowship to receive this funding. I
21 understand that to be eligible for this Ford Fellowship, I need to have certain immigration status like
22 DACA status or lawful permanent residency. Many of the other significant sources of funding in my
23 field, like the National Science Foundation, are available only to citizens so I have few alternatives to
24 fund my research. Without my Ford Foundation grant, I do not think I could afford to finish my doctoral
25 degree.

26 **My Work to Encourage Minority Participation in STEM**

27 27. Because of this growing security — my DACA status, being married to an American
28 citizen, becoming a graduate student — I feel safer and like I can be open about my immigration status.

1 That gives me the courage and freedom to advocate on behalf of other undocumented people, and also
2 the sense that it falls to me to speak up. I would hesitate to tell my story about living an undocumented
3 life in a declaration like this without these legal status protections. When the DACA policy rescission
4 was announced, I also shared my story on Facebook to encourage others to stay resilient. I am writing an
5 article for Science magazine about my story and how the DACA policy is important to the scientific
6 community. Without DACA and my husband, telling my story would put at risk my ability to continue
7 in my research and grad school. My project site is here in California; if I was deported, my most
8 significant graduate level research project would be over.

9 28. Most importantly, I started to feel secure in advocating on behalf of other DACA
10 recipients and undocumented students. I have become a student leader in the science and related
11 technology, engineering and math (STEM) career paths, and I work hard to help other DACA status and
12 diverse students to succeed in STEM. STEM fields are a particular area of concern for diversity;
13 minorities are extremely underrepresented in STEM. For example, I understand that underrepresented
14 racial or ethnic groups together made up only 6% of doctoral degree recipients in Life Sciences among
15 American Association of Universities public schools as of 2014-2015.¹ National Science Foundation
16 statistics recently indicated less than 4% of graduate students in ecology are Hispanic or Latino.² I feel
17 this on a personal level as a woman, a minority and a first-generation college student who has lived life
18 undocumented and with DACA status. I am a rare bird in my field of ecology.

19 29. As a leader among STEM students, I am highly concerned that the DACA rescission will
20 result in fewer would-be DACA students entering into the STEM field, exacerbating STEM's diversity
21 problem. The challenges of obtaining funding and support are already so great, a lack of legal status and
22 employment authorization are likely to be the end of their aspirations.

23 30. I know personally how difficult it can be to secure research funding in the sciences,
24 because there are often restrictions on non-citizens receiving certain funding. For example, the summer
25 after my freshman year, I almost lost a great opportunity to work on Professor Michael Tobin's
26

27 ¹ *University of California, Accountability Report 2017*, at 7.2.2,
28 <http://accountability.universityofcalifornia.edu/2017/chapters/chapter-7.html#7.2.1>.

² National Science Foundation, *Women, Minorities, and Persons with Disabilities in Science and Engineering*, Table 3-1, <https://www.nsf.gov/statistics/2017/nsf17310/static/data/tab3-1.pdf>.

1 environmental research in California. The position was originally federally funded by the National
2 Science Foundation (“NSF”). I knew because of my immigration status I was not eligible to receive NSF
3 research funding. I thought that meant I had to decline the job he offered. I got up the courage to tell
4 Professor Tobin about my DACA status and that I could not accept his offer. But because I was open
5 about my status, Professor Tobin was able to make alternate funding arrangements. I gained great
6 research experience with him at a Bakersfield site of California State University. We continued to work
7 together, and that has led to my later graduate study specialization. This is the type of experience I share
8 with other DACA and undocumented students to encourage them to speak up about their status to earn
9 funding so that they can experience these valuable opportunities.

10 31. I am working hard to encourage other minority students to pursue their dreams in STEM,
11 despite the challenges that many experience because of their immigration status. I worry the DACA
12 policy rescission will change would-be DACA students’ aspirations to continue in school. I have been
13 active in speaking on panels and at workshops designed to help STEM students who are minorities,
14 including DACA students, navigate the often daunting prospect of graduate school and obtaining
15 funding. Some highlights include speaking about my experience as a DACA-recipient graduate student
16 during a workshop at the California State University at Fullerton, titled *Achieving Dreams The*
17 *Undocumented Way*, where I was the only STEM representative. I also presented at the UndocuSTEM
18 conference at California State University, Los Angeles. UndocuSTEM encourages undocumented
19 students who are transitioning between various stages in their education, from high school through to
20 doctoral degrees. I feel like by sharing my experiences on these panels, I help them to identify with
21 someone like themselves. As a graduate student, I particularly focus on encouraging undergraduate
22 students, guiding them to resources they need and standing up as an example of diverse success in
23 STEM. I am often the only woman, the only DACA recipient and the only Latina person on the panels at
24 these conferences.

25 32. To help other minority STEM students, I also co-founded and am the Founding President
26 of the UCI chapter of the Society for Advancement of Chicanos/Hispanics and Native Americans in
27 Science (SACNAS), which is dedicated to fostering the success of Chicano/Hispanic and Native
28 American scientists, from college students to professionals, in attaining advanced degrees, careers, and

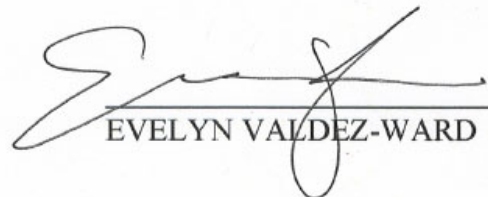
1 positions of leadership in STEM. SACNAS was the organization that first helped me get involved in
2 scientific research. I received a scholarship to present at a SACNAS conference in Fall 2015. At the
3 conference, I met many diverse scientists, and they gave me the encouragement I needed to take on the
4 challenges of the STEM field. I met Professor Ann Sakai, who works at UC Irvine, who reviewed my
5 research statement and personal statement. She told me she was impressed and helped me apply to UC
6 Irvine. This is how I met my current co-researchers, Professors Martiny, Huxman and Kimball. I was
7 motivated to start the SACNAs chapter at UC Irvine to provide similar opportunities to other DACA and
8 undocumented students.

9 33. Finally, I am also working to help the next generation of STEM students as a reviewer for
10 Ford Foundation applications. Usually faculty review these applications, but I was asked to become a
11 reviewer because I was the only recipient of the Ford Foundation Fellowship in a particular program last
12 year. I trained on how to review applications, and I will now review approximately 17 applications
13 through the UCI Competitive Edge Summer Research Program to help the next generation of STEM
14 students apply to the Ford Foundation.

15 34. I am also concerned that the DACA policy rescission will cause students already
16 successful in STEM to leave the United States. I have spoken to my DACA status STEM colleagues,
17 and some are already looking for foreign schools where they could complete their studies. They have
18 told me they no longer feel safe now that the DACA policy rescission has been announced; the
19 government has their information and they feel like easy first targets for immigration enforcement. Their
20 departure would be a great loss for the STEM field in the United States, and the schools who have
21 invested in these students.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is true
23 and correct.

24
25 Executed on October 25, 2017 in Irvine, California.


EVELYN VALDEZ-WARD